

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed October 28, 2008. At the time of the Office Action, Claims 12-29 were pending in this Application. Claims 12-29 were rejected. Claim 22 was amended to correct a minor typographical error. No new matter was presented. Applicant respectfully requests reconsideration and favorable action in this case.

Rejections under 35 U.S.C. §103

In order to establish a prima facie case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Even if each limitation is disclosed in a combination of references, however, a claim composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art. *KSR Int'l. Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007). Rather, the Examiner must identify an apparent reason to combine the known elements in the fashion claimed. *Id.* "Rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *Id.*, citing *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006). Finally, the reason must be free of the distortion caused by hindsight bias and may not rely on ex post reasoning. *KSR*, 127 S.Ct. at 1742. In addition, evidence that such a combination was uniquely challenging or difficult tends to show that a claim was not obvious. *Leapfrog Enterprises, Inc. v. Fisher-Price, Inc. and Mattel, Inc.*, 485 F.3d 1157, 1162 (Fed. Cir. 2007), citing *KSR*, 127 S.Ct. at 1741.

Independent Claims 12 and 22 are Patentably Distinct Over the Cited References

Claims 12, 13, 20, 21, 28, and 29 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,085,160 issued to Bart D'hoore *et al.* ("*D'hoore*") in view of U.S. Patent Application Publication No. 2003/0050779 by Soren Riis *et al.* ("*Riis*"). Applicant respectfully traverses and submits the cited art combinations, even if proper, which Applicant does not concede, does not render the claimed embodiment of the invention obvious.

The cited references, separately or as combined by the Examiner, fail to teach or suggest all the elements of Independent Claim 12. For example, Independent Claim 12 recites, in part:

(b) determining phonetic transcripts for each of a plurality of words for N various languages not specified as the mother tongue to generate N first phoneme sequences for each word corresponding to N first pronunciation variants;

(c) determining a phoneme map by mapping the generated first phoneme sequences of each of said N languages to a relevant phoneme set of the mother tongue.

(d) determining N second phoneme sequences corresponding to N second pronunciation variants from said phoneme map for each word; and

(e) processing said N second phoneme sequences with the phoneme set associated with the language specified as the mother tongue to identify at least one of a matching word and a similar word.

As agreed upon the Examiner, *D'hoore* fails to teach elements (d) and (e). *See* Office Action, Page 4. Applicant notes that *D'hoore* also fails to teach elements (b) and (c) as recited in Independent Claim 12. Referring to the cited sections relied upon by the Examiner (Column 8, Lines 8-19) *D'hoore* discloses

Language dependent systems usually describe the foreign pronunciation variants by mapping them to the phonemes of the native language. As described above, it is possible to add a word to the speech recognition system of a preferred embodiment and indicate that it will be spoken in several languages. The system will transcribe the word with rule sets from several languages and generate several phonetic transcriptions. The recognizer uses all the transcriptions in parallel, thus covering all pronunciation variants. This is particularly useful for recognizing proper names in an application that will be used by a variety of speakers whose language is not known.

In this section, *D'hoore* discloses mapping *foreign pronunciation variants by mapping them to phonemes*. Separately, *D'hoore* discloses adding words that will be spoken in several languages and transcribing those words (*e.g.*, the added words) with rule sets to generate phonetic transcriptions. However, *D'hoore* does not teach or suggest mapping the generated first phoneme sequences of each of said N languages to a relevant phoneme set of the mother tongue, as recited in Claim 12. Rather, it appears that mapping of the foreign pronunciation is a distinct and separate step from the phonetic transcriptions generated for added words.

Riis also fails to teach or suggest all the elements of Independent Claim 12. *Riis* discloses a method for text-to-phoneme mapping. *See* Abstract. For example, *Riis* discloses

providing a text input from a text database, receiving an acoustic input, generating a sequences of multilingual phoneme symbols based on said text input by means of a multilingual text-to phoneme module, generating pronunciations in response to said sequences of multilingual phoneme symbol, and comparing said pronunciations with the acoustic input in order to find a match.

(Paragraph [0015] as relied upon by the Examiner; *see* Office Action, Page 4). It appears that *Riis* is focusing on generating sequences of a text input and comparing the pronunciations from the generated sequences to a received acoustic input. *Riis* does not teach or suggest (1) *determining phonetic transcripts* for each of a plurality of words for *N* various languages not specified as the mother tongue *to generate N first phoneme sequences* for each word corresponding to *N* first pronunciation variant; and (2) *determining a phoneme map by mapping the generated first phoneme sequences* as recited in Independent Claim 12.

Applicant notes that the Examiner does not specifically reject Independent Claim 22 under § 103(a), but does set forth reasons for rejection of Claim 22 in the Office Action in the Examiner's discussion of the rejections under § 103(a). *See* Office Action, Page 3. Independent Claim 22 recites, in part:

a first processing module for determining phonetic transcripts for each word of a plurality of words from *N* various languages in order to obtain *N* first phoneme sequences for each word corresponding to *N* first pronunciation variants;

a second processing module for implementing a mapping of first phoneme sequence of each of *N* various languages to a particular phoneme set of the mother tongue.

None of *D'hoore* and *Riis*, alone or as combined by the Examiner, teach or suggest the above recited elements for at least the reasons discussed above regarding Independent Claim 12.

As to findings of obviousness, the M.P.E.P. requires the Examiner to make and articulate each of the following findings:

(1) a finding that there was some teaching, suggestion, or motivation, either in the references themselves or in the knowledge generally available to one of skill in the art, to modify the reference or to combine reference teachings;

- (2) a finding that there was reasonable expectation of success; and
- (3) whatever additional findings based on the factual inquiries under *Graham v. John Deere Co.*, 383 U.S. 1 (1966) as may be necessary, in view of the facts of the case under consideration, to explain a conclusion of obviousness. M.P.E.P. § 2143(G).

Applicant reiterates the arguments made in the Request for Continued Examination filed on August 28, 2008 that Examiner has failed to establish a *prima facie* case of obviousness, namely the factual findings listed above. Additionally, in the present case, the Examiner has failed to provide any evidence of record, either in the references themselves or in other references of record, declaration of others with ordinary skill in the art, *etc.*, to support the Examiner's conclusion that "it would be obvious to one of ordinary skill in the art at the time of the invention was made to generate inter- and intra-language pronunciation variations as taught by Riis et al. in D'hoore et al., because that would held better identify the language of the inputted word, by finding the best match among pronunciations of different languages." (Office Action, Page 4). If the Examiner relies on the Examiner's own personal knowledge to support a finding of what is known in the art, such finding must be supported with an affidavit or declaration setting forth specific factual statements and explanation to support the finding. 37 C.F.R. § 1.104(d)(2); M.P.E.P. § 2144.03(C).

For at least these reasons, Applicant submits that the cited references and evidence of record fail to disclose each and every limitation of Independent Claims 12 and 22. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a), and full allowance of Independent Claims 12 and 22 and all claims that depend therefrom.

Claims 13-21 and 23-29

Claims 13 through 21 and 23 through 29 were rejected under 35 U.S.C. §103(a) over various combinations of *D'hoore*, *Riis*, U.S. Patent No. 6,460,017 issued to Udo Bub *et al.* ("*Bub*"), U.S. Patent No. 7,047,493 issued to Eric D. Brill *et al.* ("*Brill*"), and U.S. Patent Application Publication No. 2004/0039570 filed by Steffen Harengel *et al.* ("*Harengel*"). Applicant respectfully traverses and submits the cited art combinations, even if proper, which

Applicant does not concede, does not render the claimed embodiment of the invention obvious.

Bub, Brill, and Harengel, separately or as combined by the Examiner, fails to provide the deficiencies of *D'hoore* and/or *Riis*. For at least the reasons presented above, Applicant respectfully requests reconsideration and allowance of Independent Claims 12 and 22 and all their respective dependent claims.

CONCLUSION

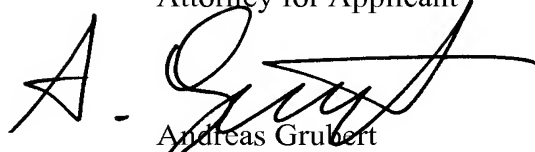
Applicant has now made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicant respectfully requests reconsideration of Claims 12-29.

Applicants respectfully submit a Petition for One-Month Extension of Time. The Commissioner is authorized to charge the fee of \$130.00 required to Deposit Account 50-2148 in order to effectuate this filing.

Applicant believes there are no additional fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512.322.2545.

Respectfully submitted,
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Date: February 4, 2009

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